

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46964 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- BIRAUL District- Darbhanga

1. LALU KUMAR @ LALU KUMAR SAH @ LALO SAHU SON OF
SUNIL SAHU R/O VILLAGE- JAİKISHANPUR, P.S.- BIRAUL,
DISTRICT- DARBHANGA
2. RAJ KUMAR SAH @ RAJ KUMAR SAHU SON OF LATE RAM
BILASH SAHU R/O VILLAGE- JAİKISHANPUR, P.S.- BIRAUL,
DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha, Adv.
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-11-2022 This case has been listed today under the heading “To Be
Mentioned” on the basis of mentioning slip of learned counsel
for the petitioners.

Heard the parties.

Learned counsel for the petitioners is directed to remove
the defects as pointed out by the office within four weeks.

Learned counsel for the petitioners seeks permission to
withdraw this application as against petitioner no.2, who has
been apprehended by the police during pendency of this
application.

Permission is granted.

Accordingly, the prayer for anticipatory bail made



through the instant application, on behalf of the petitioner no.2 is dismissed as withdrawn.

Now, it is being heard for consideration of bail against petitioner no.1.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 448, 341, 323, 324, 504, 307, 379, 506, 34 of the IPC.

The allegation against the petitioner is that he along with other accused persons have indiscriminately assaulted the informant and his brother.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Raj Kumar Sahu to have assaulted the informant. It is submitted that for the alleged occurrence, there is case and counter-case between the parties and both sides have sustained injuries which are simple in nature. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.



Having regard to the facts and circumstances of the case, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Biraul P.S. Case No.92 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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